

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/14/2025
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHELTON BEAMAN,

Plaintiff,

-against-

COMMISSIONER HUMAN RESOURCES  
ADMINISTRATION MOLLY PARKS; ABDUL  
BAMBA; TERESA DUARTE,

Defendants.

24-CV-10071(MKV)

**ORDER OF SERVICE**

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff, appearing *pro se*, brings this action under 42 U.S.C. § 1983, alleging that Defendants violated his rights under federal and state law when they discontinued his public assistance benefits.<sup>1</sup> By order dated January 7, 2025, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees. [ECF No. 5].

**DISCUSSION**

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service.<sup>2</sup> *See Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve

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<sup>1</sup> Plaintiff initiated this action by filing a proposed order to show cause for preliminary injunctive relief; he did not file a complaint. By order dated January 8, 2025, Chief Judge Swain denied Plaintiff's request for preliminary injunctive relief and directed Plaintiff to file a complaint. [ECF No. 4]. Plaintiff filed a Complaint on January 14, 2025. [ECF No. 7].

<sup>2</sup> Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendants Molly Park, Abdul Bamba (or “Bambaa”), and Teresa Duarte through the U.S. Marshals Service, the Clerk of Court is respectfully requested to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each defendant. The Clerk of Court is further requested to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

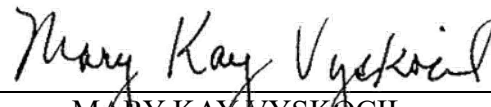
### **CONCLUSION**

The Clerk of Court is respectfully directed to issue a summons for each defendant, complete the USM-285 form with the address for each defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is respectfully requested to mail an information package to Plaintiff.

**SO ORDERED.**

Dated: February 14, 2025  
New York, New York

  
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MARY KAY VYSKOCIL  
United States District Judge

**SERVICE ADDRESS FOR EACH DEFENDANT**

1. Commissioner Molly Park  
Human Resources Administration  
Four World Trade Center  
150 Greenwich Street  
New York, NY 10006
2. Abdul Bamba (or Bamba)
- Human Resources Administration  
Four World Trade Center  
150 Greenwich Street  
New York, NY 10006
3. Teresa Duarte  
Human Resources Administration  
Four World Trade Center  
150 Greenwich Street  
New York, NY 10006